

# Parole Board Decision Summary

Name: Kenneth Noye

Decision: Direction for release on life licence

## INTRODUCTION

As required by law, Mr Noye's case was referred to the Parole Board by the Secretary of State for Justice to determine whether he could be safely released on life licence. If not, the panel should consider whether remaining in open conditions could be recommended.

The case was considered at an oral hearing on 9 May 2019 by a panel comprising a psychologist member of the Board and two judicial members.

The test for release on licence is whether Mr Noye's continued confinement in prison is necessary for the protection of the public. If not, his continued confinement would be unlawful, and the panel must direct his release on licence.

In reaching its decision, the panel considered the written and oral evidence presented to it by the Secretary of State. The dossier of written evidence contained 439 pages. At the hearing, the panel took oral evidence from Mr Noye's probation officer based in the community, from the official supervising his case in prison, and from a psychologist employed by the prison service who had assessed Mr Noye's risks on several occasions on behalf of the Secretary of State. A prison officer of governor grade from the prison participated briefly in the hearing to assist the panel. Mr Noye himself also gave evidence to the panel.

The hearing was also attended by Mr Noye's solicitor and by a Secretary of State's representative.

The panel had the benefit of a victim personal statement. Panel members considered carefully the contents of the statement which set out clearly the impact that Mr Noye's crime had, and continues to have, on his victim's family.

## SENTENCE DETAILS

On 14 April 2000, Mr Noye received a mandatory life sentence following conviction for murder. He first became eligible to be considered for release on 21 April 2015. This was the third review of Mr Noye's case by the Board.

## RISK ASSESSMENT

Having considered the index offences, relevant patterns of previous offending and the other evidence before it, the panel identified risk factors associated with Mr Noye at the time of his offending.

These had included his readiness to carry and to use weapons on occasions and not being able to resolve arguments reasonably at key moments in his life. The evidence showed that in the past Mr Noye held unhelpful attitudes concerning the use of violence and did not always control extreme emotions



well. He was focused on his own needs and did not sufficiently think about the effects of his actions on other people or the wider consequences of his behaviour. There were aspects of his personality which he needed to manage better when it came to dealing effectively with life's problems.

Evidence was presented at the hearing regarding Mr Noye's successful completion of accredited programmes when detained in closed prison conditions, earlier in his sentence. These had addressed decision-making, better ways of thinking and considering consequences, and a tendency to use violence in certain conditions. He had also completed a training course focused on improved victim awareness and, shortly before being transferred to open conditions, he had participated in a more advanced programme dealing with strategies to avoid use of violence.

The panel heard how well Mr Noye had demonstrated application of relevant skills and learning while in custody. Witnesses described his good conduct and compliance in prison and charted the progress he had made during this sentence. He had worked positively with officials dealing with his case and had demonstrated maturity about his situation, as well as greater insight into his past behaviour. He had demonstrated an ability to deal appropriately with potentially violent situations in prison and was clearly well motivated to avoid further offending in the community.

The professional witnesses were all of the view that Mr Noye had addressed his risk factors appropriately and had reduced his risk to the public to a level at which, with a robust risk management plan in place, it would be manageable safely in the community.

The panel noted a number of protective factors (i.e. factors likely to reduce risk) including Mr Noye's current proven ability to control his emotions, his clear life goals, his relationships, and his proven ability to work with professionals and accept advice when it is needed.

The panel carefully examined the release and risk management plan provided by Mr Noye's probation officer and weighed its proposals against assessed risks. The plan included a requirement to reside at a designated address and very close monitoring of Mr Noye's situation and behaviour, including strict limitations on his contacts, movements and activities. The panel was satisfied that this plan was sufficiently robust to enable Mr Noye's risk to be managed safely in the community.

## DECISION

After considering the circumstances of his offending, the progress made while in custody and the evidence presented at the hearing, the panel was satisfied that Mr Noye met the test for release and was suitable for return to the community.

His release is subject to the following licence conditions, which must be strictly adhered to:



- To comply with requirements to reside at a designated address, be of good behaviour, and report as required for supervision or other appointments
- To comply with other identified limitations concerning contacts, activities, residency and exclusion zones
- To continue to address defined areas of risk.

